

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

**INNOGENETICS N.V.,
a Belgian Corporation,**

Plaintiff,
v.
Case No. 05-C-0575-C

**ABBOTT LABORATORIES,
an Illinois Corporation,**

Defendant.

**MOTION FOR SUMMARY JUDGMENT OF
NO INEQUITABLE CONDUCT**

Plaintiff Innogenetics N.V. hereby moves, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an order granting summary judgment against Defendant Abbott Laboratories as to Defendant's Affirmative Defense and Counterclaim that U.S. Patent No. 5,846,704 is unenforceable due to inequitable conduct. This motion is based on the Brief in Support of Motion for Summary Judgment of No Inequitable Conduct, Plaintiff's Proposed Findings of Fact, and the Declaration of Melody K. Glazer, filed herewith.

Dated this 15th day of May, 2006.

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